

Introduced by Senator Hollingsworth

February 23, 2007

An act to add Section 21080.20 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 947, as introduced, Hollingsworth. California Environmental Quality Act: Caltrans: rights-of-way.

(1) The California Environmental Quality Act (CEQA) requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, unless the project is exempt from the act.

This bill would exempt from those CEQA requirements the expansion of an existing overpass, on-ramp, or off-ramp that is built on an easement or right-of-way under the control of a state or local transportation agency, or a city, county, or city and county. By imposing new duties on local governments with respect to determining whether that exemption is applicable to specified highway expansion projects, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.20 is added to the Public Resources
2 Code, to read:
3 21080.20. This division does not apply to the expansion of an
4 existing overpass, on-ramp, or off-ramp that is built on an easement
5 or right-of-way under the control of a state or local transportation
6 agency, or a city, county, or city and county.
7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 a local agency or school district has the authority to levy service
10 charges, fees, or assessments sufficient to pay for the program or
11 level of service mandated by this act, within the meaning of Section
12 17556 of the Government Code.